

Recess was taken from 12:17 p.m. until 1:00 p.m.

B. [22-3158](#)

Discussion and Possible Action Regarding Amending the Code of the City of North Port Chapter 22 - Fertilizer and Landscape Management to Extend the Period of Time When Use of Fertilizer is Restricted.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commissioner McDowell spoke to citizen correspondence regarding canal water color due to algae bloom and exploring pros and cons of extending restriction period.

Commission discussion took place regarding restricted fertilizer season coinciding with rainy season, staff recommendations, and previously mimicking Sarasota County policy.

Mr. Speake spoke to shift in rainfall amounts, staff recommending extension, regulations and protocol regarding enforcing a more stringent policy than State Statutes permit, and staff's diligence in gathering evidence to submit to allow for more stringent policies.

Commission questions and discussion took place regarding levels of rainfall, shifting vs. extending the timeline, promoting Florida-friendly fertilizer, municipalities implementing stricter policies, and water sampling as a budget line item.

Ms. Slayton noted the City Attorney's Office has not reviewed the item, and provided an overview including State Statute regarding implementing more stringent policies and criteria for adoption prior to and after January 1, 2009, and responded to Commission questions regarding Statute criteria.

Ms. Jianelli read the following e-comment into the record:

Edie Driest: expressed support to extend the fertilizer restriction period.

Commission discussion continued regarding changing the proposed start date.

A motion was made by Commissioner McDowell, seconded by Commissioner White, to direct the City Manager to work with the City Attorney and Staff to amend the City Code Chapter 22 to extend the fertilizer restriction period from April 1 to September 30, using the criteria set forth by State Statute with the hopes that this could be effective in 2023.

Commission discussion took place regarding the probability of the effective date being in 2023 and withholding the start date from April 1 to May 1 depending on sufficient scientific data collected.

A motion to amend was made by Commissioner Luke, seconded by Commissioner McDowell, that if scientific data does not verify or justify that the start date be April 1, they would have the ability to make it May 1. The motion to amend carried on the following vote:

Yes: 5 - Mayor Emrich, Vice Mayor Langdon, Commissioner Luke, Commissioner McDowell and Commissioner White

The main motion as amended carried on the following vote:

Yes: 5 - Mayor Emrich, Vice Mayor Langdon, Commissioner Luke, Commissioner McDowell and Commissioner White